

F. No. 8-78/1996-FC (pt.)
Government of India
Ministry of Environment, Forests and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan,
Aliganj, Jorbagh Road,
New Delhi - 110 003
Dated: 9th March, 2016

To

The Principal Secretary (Forests),
All State / Union Territory Governments

Sub: Guidelines regarding prior approval of Central Government under the Forest (Conservation) Act, 1980 (FC Act) for areas falling in the mining leases which were or are recorded as 'forest' in the Government record on or after the day the FC Act came into force, but while processing and/or approving the proposals under the FC Act for use of forest land falling in such mining leases for mining purposes, such areas were treated as 'non-forest' - *reg.*


Sir,

I am directed to refer to this Ministry's letter of even number dated 10th March, 2015 on the above-mentioned subject wherein it was *inter-alia* stated that State Governments may allow the concerned user agencies to continue, for a period not-exceeding one year, mining in such already broken forest areas, which were or are recorded as 'forest' in the Government record on or after 25th October 1980, but while processing and/or approving the proposals under the Forest (Conservation) Act, 1980 for use of forest land located in such mining leases for non-forest purpose, were treated as 'non-forest', provided the other statutory requirements and Rules are otherwise being complied with and NPV of such broken up areas has already been realised from the user agency.

This Ministry received representations, including the one from the Chief Secretary, Government of Odisha to extend the said period of one year.

After careful examination of the matter in this Ministry, I am directed to say that the period of one year stipulated in the said letter has been extended till 30th September, 2016, provided the State Government submits complete proposal to seek prior approval of Central Government under the FC Act for use of such already broken up forest land for mining and allied activities, atleast three months prior to the 30th September, 2016, failing which mining in such broken up forest areas will be discontinued.

Yours faithfully,


(H.C. Chaudhary)
Director

Copy to:-

1. Prime Minister's Office (*Kind attn.:* Shri Santosh D. Vaidya, Director).
2. Secretary, Ministry of Mines, Government of India.

3. Secretary, Ministry of Steel, Government of India.
4. Principal Chief Conservator of Forests, all State/UT Governments.
5. Nodal Officer, the Forest (Conservation) Act, 1980, all State/UT Governments.
6. All Regional Offices, Ministry of Environment, Forests and Climate Change (MoEFCC), GoI.
7. Joint Secretary in-charge, Impact Assessment Division, MoEFCC, GoI.
8. All Assistant Inspector General of Forests/ Directors in the Forest Conservation Division, MoEFCC, GoI.
9. Director Regional Office Headquarters Division, MoEFCC, GoI.
10. Sr. Director (Technical), NIC, MoEFCC with a request to place a copy of the letter on website of this Ministry.
11. Sr. PPS to the Secretary, Ministry of Environment, Forest and Climate Change.
12. Sr. PPS to the Director General of Forests & Special Secretary, MoEFCC, GoI.
13. Sr. PPS to the Addl. Director General of Forests (Forest Conservation), MoEFCC, GoI.
14. PS to the Inspector General of Forests (Forest Conservation), MoEFCC, GoI.
15. Guard File.

22/07/2016
(H.C. Chaudhary)
Director